

bill of cost and paid by the party cast or convicted ; and when collected, shall be paid into the county treasury.

Motion carried.

Senator Shelley moved to amend 8th section of bill as follows : the sheriff shall receive the fees allowed by law for similar services in the District Courts.

Amendment made.

Senator Bumpass moved to strike out all after the word 'counties,' in 4th line of 1st section ; also to strike out 42d section of bill, and number the sections correctly.

Senator Cook moved to lay the motion of Senator Bumpass upon the table.

Upon which the yeas and nays being called, the amendment was tabled by the following vote :

YEAS—Senators Braswell, Blount, Boyd, Brown, Cook, Cooley, Coppedge, Foscue, Guinn, Jowers, Knox, McDade, Neyland, Randolph, Record, Reid, Shelley and Yarbro—18.

NAYS—Senators Bumpass, Nelson, Selman, Shannon and Truitt—5.

Senator Shelley moved to reconsider the vote adopting report of the Committee of the Whole as to sections 29 and 30.

Senator Cook moved to lay the motion to reconsider upon the table ; pending which, upon motion of Senator Record, the Senate adjourned until Monday morning, Oct. 8th, at 9 o'clock.

SENATE CHAMBER, }
October 8th, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of Saturday read and adopted.

On motion of Senator Guinn, Hon. Frederick Voigt, member elect from the Third Senatorial District, came forward, took the oath of office and his seat.

Senator Foscue presented petition of Levi Jones, for the heirs of A. F. Burnley deceased.

Referred to Committee on Commerce and Manufactures.

Senator Randolph presented petition of citizens of the City of Navasota for the incorporation of the same.

Referred to Judiciary Committee.

Senator Guinn presented a memorial on behalf of the Medical Fraternity.

Referred to Committee on State Affairs.

Senator Reed presented petition of citizens of DeWitt county.

Referred to Committee on Public Lands.

Senator Shelley made the following report :

To the President of the Senate :

The Committee on State Affairs, to whom was referred a bill to be entitled "An Act to authorize the Trustees of the Presbyterian Church at Victoria, in Victoria county to dispose of a portion of their Church block in Victoria," have duly considered the same ; and the committee are of opinion that the Legislature cannot properly interpose its power in aid of the object sought to be accomplished by the bill.

The evidence of title to the block, a portion of which it is proposed to sell, in the Trustees of the Presbyterian Church, discloses that the square or block of ground was set apart and condemned as a Church square, on which there should be erected a Church edifice for the use of the Presbyterian denomination.

In this condemnation for such purpose it is believed that not only the particular denomination have vested rights which cannot be interfered with by legislation, but the adjacent proprietors have rights which cannot any more be affected by legislative action.

The committee therefore instruct me to report the bill back and recommend that it do not pass.

N. G. SHELLEY, for the Committee.

Also, reports :

To the President of the Senate :

The Committee on State Affairs, to whom was referred the memorial of David S. Cross, asking that authority be given to the Board of Managers of the Lunatic Asylum to purchase the lot containing twenty-six acres of land on which is situated the residence of the memorialist, have had the same under consideration, and instruct me to report the accompanying bill, and to recommend its passage.

The committee are of opinion that it will be necessary to make provision for the insane among "freedmen," in accordance with the recommendation of the late Superintendent, and of the select committee appointed to examine the condition of the Asylum. As is stated in the report of that committee, as well as in the report of the Superintendent, a number of applications have been made for the admission into the institution of the class of insane referred to. The grounds proposed to be sold by Mr. Cross, and to purchase which he asks that the Board of Managers shall be invested with authority, may be advantageously used for the

purposes of the institution, as it is now administered, with the additional provision which it is proposed to make for the benefit of insane negroes. The improvements upon these grounds may be made to answer the demands for that purpose, at least for several years.

Omitting to consider the reasons for making the purchase of the property of Mr. Cross, growing out of the injury to its value occasioned by the State, the committee believe that it will be economical to make the purchase for the purpose of the institution, and to appropriate the building to the use of insane "freed-men," rather than to erect other buildings upon the grounds as now belonging to said institution.

N. G. SHELLEY, for the Committee.

On motion of Senator Shelley, report and bill were referred to Finance Committee.

Senator Neyland made the following report :

Hon. G. W. Jones, President of the Senate :

The Committee on Engrossed Bills have examined a bill to be entitled "An Act supplementary to and amendatory of an act entitled an act to provide for the re-districting of the State into Judicial Districts, passed at present session," and find the same correctly engrossed.

W. M. NEYLAND,

Chairman of Committee on Engrossed Bills.

Senator Foscue introduced a bill to provide for a Superintendent of Education.

Read first time and referred to Committee on Education.

Senator Cooley introduced a bill to incorporate the New Braunfels Woolen Manufacturing Company.

Read first time and referred to Committee on Commerce and Manufactures.

Upon motion of Senator Guinn, the House bill to incorporate the Houston and Great Northern Rail Road Company, was taken up, and made the special order for 11 o'clock on Wednesday, Oct. 10th.

The Senate resumed the consideration of the bill to organize the County Courts, and define the powers and jurisdiction thereof. The question pending at the hour of adjournment on Saturday, Oct. 6th, was the motion of Senator Cook to table the motion of Senator Shelley to reconsider the action of the Senate on the 29th and 30th sections of the bill.

Senator Cook withdrew his motion to lay the amendment upon the table. Question recurring upon the motion to reconsider, and the yeas and nays being called, the motion was lost by the following vote.

YEAS—Senators Boyd, Burney, Dalrymple, Guinn, Jowers, Parker, Record, Selman, Shelley and Yarbrow—10.

NAYS—Senators Blount, Brown, Bumpass, Cook, Coppedge, Foscue, McDade, Nelson, Neyland, Randolph, Reed, Shannon and Truitt—13.

Upon motion of Senator Cook, the 43d section was stricken from the bill.

Upon motion of Senator Shannon, the vote adopting the following amendment to 1st section was reconsidered:

“The County Judges shall reside at the county sites of their respective counties.”

Senator Guinn offered the following substitute for the amendment:

“The county judges shall reside in the county sites of their respective counties, or within three miles thereof.”

Senator Shannon moved to lay the amendment and substitute on the table; upon which the yeas and nays being called, the motion was lost by the following vote:

YEAS—Senators Brown, Bumpass, Cooley, Coppedge, Dalrymple, Jowers, McDade, Nelson, Shannon, Truitt and Voigt—11.

NAYS—Senators Braswell, Blount, Boyd, Cook, Foscue, Guinn, Knox, Neyland, Parker, Reed, Saufley, Selman, Shelley and Yarbrow—14.

Question being on the adoption of the substitute, and the yeas and nays being called, substitute was adopted by the following vote:

YEAS—Senators Braswell, Blount, Boyd, Dalrymple, Foscue, Guinn, Knox, Parker, Randolph, Reed, Saufley, Selman, Shelley and Yarbrow—14.

NAYS—Senators Brown, Bumpass, Cook, Cooley, Coppedge, Jowers, McDade, Nelson, Neyland, Shannon, Truitt and Voigt—12.

Senator Bumpass offered the following substitute for the amendment proposed by Senator Guinn:

“All county Judges hereafter elected shall reside in the county sites of their respective counties, or within three miles thereof.”

The yeas and nays being called, the substitute was adopted by the following vote:

YEAS—Senators Braswell, Blount, Brown, Bumpass, Cook, Cooley, Coppedge, Dalrymple, Foscue, Jowers, Littleton, McDade, Nelson, Randolph, Selman, Shannon, Truitt and Voigt—18.

NAYS—Senators Boyd, Guinn, Knox, Neyland, Parker, Reed, Saufley, Shelley and Yarbrow—9.

Question being upon the amendment, the amendment was made.

Senator Brown moved to strike out the caption of the bill, and substitute the following:

“A bill to be entitled An act for the relief of indigent lawyers.”

Senator Cook moved to lay amendment on the table; upon which, the yeas and nays being called, the motion to table prevailed by the following vote:

YEAS — Senators Braswell, Blount, Boyd, Burney, Cook, Cooley, Coppedge, Foscue, Guinn, Jowers, McDade, Nelson, Neyland, Randolph, Reed, Saufley, Selman, Shannon, Shelley, Truitt and Yarbrow—21

NAYS—Senators Brown, Bumpass, Dalrymple, Knox, Littleton, Parker and Voigt—7.

Senator Cooley moved to amend by adding the following to the 16th section of bill:

“*Provided*, That when there is no cause pending, nor notice to the Clerk of any suit or proceeding to be instituted, in which a jury may be required; and it shall further appear probable, twenty days prior to any term of the Court, that a jury will be unnecessary and uncalled for, then the county Judge may, by order entered on the minutes, dispense with said drawing or summoning jurors for such term.”

Motion lost.

Bill as amended read second time and ordered to be engrossed.

Message was received from the House, announcing the passage of the following bills :

House bill for the relief of the heirs of Peyton S. Wyatt.

House bill to authorize the Governor to sell certain property.

House bill to authorize the Governor to subscribe for a treatise, on the civil jurisdiction of Justices of the Peace.

House bill for the relief of C. M. Winkler.

House bill to incorporate the Cedar Creek Bridge Company.

House bill to incorporate the town of Athens, in Henderson county.

House bill to incorporate Woodland College.

House bill to authorize the State Treasurer to sell certain Louisiana Bank bills, paid into the Treasury, from the estate of J. L. Betts.

House bill authorizing the Commissioner of the General Land Office to issue a patent for 640 acres of land to John L. Lovejoy, assignee of Stephen Wofford.

House bill to provide for the public printing.

House bill to amend 13th section of "An act concerning proceedings in the District Court," approved March 16th, 1848.

House bill for the relief of Lucien Hopson.

Senate bill to appropriate the necessary means to enable the Governor to organize the frontier regiment.

House bill appropriating four hundred dollars for repairing Treasury building.

Joint resolution making an appropriation to defray expenses of joint committee appointed to visit Brenham, &c.

Joint resolution authorizing the Governor to appoint a special agent to proceed to Washington, &c.

Senate bill for the relief of the Brazos Manufacturing Company.

Senate bill to relieve the people from the payment of certain taxes.

Senate bill to incorporate the town of Lampasas, in Lampasas county, with four amendments.

Senate bill to incorporate the San Antonio Commercial Club, with an amendment.

Senate bill for the relief of the heirs of William Berryman, with an amendment, and that the House refused to pass the Senate's bill for the relief of John Henry Bullard from the disability of minority.

The President of the Senate, announced Senator Voigt placed upon the following committees, viz:

Internal Improvements, Claims and Accounts and Private Land Claims.

On motion of Senator Guinn, House bill incorporating Woodland College, taken up, and referred to Committee on Education.

On motion of Senator Guinn, the following House bills were taken up and referred.

A bill to provide for Public Printing.

Read first time and referred to Committee on Printing.

A bill authorizing Commissioner of General Land Office to issue a patent for 640 acres of land to John L. Lovejoy, assignee of Stephen Wofford.

Read first time and referred to Committee on Private Land Claims.

A bill authorizing the State Treasurer to sell certain Louisiana bank bills, paid into the Treasury from the estate of J. L. Betts.

Read first time and referred to Committee on Finance.

A bill to incorporate the town of Athens, in Henderson county.

Read first time and referred to Committee on State Affairs.

A bill to incorporate the Cedar Creek Bridge Company.

Read first time and referred to Committee on Roads Bridges and Ferries.

A bill for the relief of C. M. Winkler.

Read first time and referred to Judiciary Committee.

A bill to authorize the Governor to subscribe for a treatise on the civil jurisdiction of Justices of the Peace.

Read first time and referred to Judiciary Committee.

A bill to authorize the Governor to sell certain property.

Read first time and referred to Committee on State Affairs.

A bill for the relief of the heirs of Peyton S. Wyatt.

Read first time and referred to Committee on Private Land Claims.

On motion of Senator Guinn, the following message from His Excellency the Governor, was taken up, read and referred to Committee on Education:

EXECUTIVE OFFICE, }
Austin, Oct. 4, 1866 }

Gentlemen of the Senate and House of Representatives:

I return to the House of Representatives a bill originating in that body, entitled "An act to incorporate the Woodland College, and to prevent the sale of spiritous liquors within three miles thereof."

The act is in conflict with the 24th Section, Art. VI of the Constitution, which says every law enacted by the Legislature shall embrace but one object. The incorporation of a College is one thing, and the prohibition of and fixing a penalty for the sale of spiritous liquors is another.

Independent of this serious objection, there is another equally as grave, to which I most respectfully invite your attention. The law is special in its provisions, denouncing in its prohibitory clause unusual penalties for the sale of spiritous liquors, in a particular locality. Every penal law should be uniform, at least the same penalty should be denounced and inflicted for the same offence, wherever committed in the State. For instance it would be legitimate to denounce a penalty of not less than fifty, nor more than one hundred dollars against every person who shall sell spiritous liquors within three miles of any College or Institution of learning. This would give generality and uniformity to the law bearing upon all sections and classes alike.

Special punishment should not be inflicted in favoritism to any

locality or corporation. All laws, especially those of a penal character, should be uniform in their operations. This bill makes the unlawful sale of spirituous liquors within three miles of Woodland College a greater or different offence from the unlawful sale of liquors in any other locality, besides which the law is only made to apply to the locality of Woodland College, and not to that of other like institutions. It is partial in its operations and objects and is not to be regarded as the law of the land." As such it is in violation of the 16th Section of Article 1st of the Constitution.

This view gains greater force when we consider that the law creating the offence and prescribing the punishment is a private act, and is, by the regulation of the statute, published only in the special acts of the Legislature, and but few copies of which are ever printed, and which are seldom read or circulated among the people at large, and which are almost unknown to the legal profession. Such laws are a snare to the unwary, and can only be likened to the laws of Caligula, which, when published, were placed so high that the people could not read them.

The bill is returned for your reconsideration.

(Signed)

J. W. THROCKMORTON.

Senator Saufley made the following minority report :

Hon. G. W. Jones, President of the Senate :

The minority of the Committee on Internal Improvements, to whom was referred the House bill entitled "An Act to incorporate the Houston and Great Northern Railroad Company," respectfully submit the following minority report :

Recognizing the duty of the Legislature to grant all franchises and privileges, so that they may inure to the benefit of the greatest number of citizens as well as the State at large; and realizing that all railroads built with the assistance of the State should not be exclusively for any particular section, city or locality, but for the development, as far as possible, of the great commercial interest of the whole State; and realizing, also, that for a successful encouragement of commerce, that legislation should not tend to restrict its transit to any particular channel, but basing its action upon the principle that competition and not monopolies is the spirit of our institutions; and recognizing that the greatest number of channels of trade opened up to the greatest number of citizens, tends more to the interest of the whole State than cutting off those avenues for the exclusive interest and enrichment of any city or cities, at the expense of the thrifty and enterprising citizens; recognizing, also, that vested

rights in corporations are not less sacred than vested rights in other property.

Any legislation, therefore, impairing those rights, or in any wise retarding the accomplishment of the enterprise, is not only bad faith on the part of the State, but contrary to public policy, and antagonistic to the spirit and intentions of our laws.

The minority, thus impressed, respectfully dissent from the majority, convinced that the adoption of their report will not only operate to cut off the competition of water navigation, but also cripples other enterprises in which the capital of citizens is already invested to such an extent that abandonment would be inevitable, or their success would be ruinous to the incorporators.

The amendment of the minority proposes to recognize the good faith of the State in the encouragement of companies already at work, and at the same time connect rail and water navigation, so that the producer will not be compelled to pay homage to the morbid money appetite of enriched railroad companies, but enjoy the poor privilege of choosing for himself either steamboats or cars for the shipment of his produce.

The minority proposes a connection with the great railway trunk from the East, commanding an outlet to all the Southern States, and encourage an ultimate junction with the great trunk of rail from the North-western States, thus connecting our coast, its cities, and the rich and fertile interior with the Southern and North-western States. With such advantages the industrious farmer would not wear his muscle to pay tribute to any particular monopoly, and the wealth of those States would flow into our own laps.

The minority therefore respectfully submit the accompanying amendment, and with due deference to the opinion of the majority, are convinced that for the development of the wealth and resources of the State, and for the convenience and benefit for the greatest number, the amendment is eminently proper. All of which is respectfully submitted.

W. P. SAUFLEY,
J. W. McDADE,
J. K. P. RECORD.

Amend by striking out after the word "to," in sixth line, to the word "and," in the eighth line, and insert "Rusk, in Cherokee county, and then form a junction with the Henderson, Marshall and Jefferson railroads."

Strike out "Rusk and Tyler," in ninth line same section.

In section 11, third line, strike out "Marshall" and insert "Rusk, in Cherokee county."

Senator Saufley, with leave, offered the following resolution:

Resolved, That a House bill granting 160 acres of land to disabled Confederate soldiers, and the widows and orphans of deceased soldiers, be referred to the Committee on Education, with instructions to said committee to revise its orthography, so as to relieve it from classification with the diction of the "cornfield," and to prevent the syntax of the English language from being "jayhawked" by its grammar.

Resolution adopted.

Upon motion of Senator Cook, House bill to incorporate the town of Wharton, in Wharton county, on its second reading, was taken up out of its order, read second time, and passed to a third reading; rule was suspended, read third time and passed.

Upon motion of Senator Shannon, bill making an appropriation to pay Joseph Dunlap for conveying eleven persons from Kansas to their homes in Texas, who were captured by Indians and recovered at the United States Post in Kansas, on its second reading, was taken up.

Senator Foscue moved to strike out the words "five hundred" wherever they occur in the bill.

The yeas and nays being called upon the motion to strike out, the amendment was made by the following vote:

YEAS—Senators Boyd, Brown, Bumpass, Burney, Cook, Dalrymple, Foscue, Guinn, Jowers, Nelson, Neyland, Reed, Saufley, Selman, Truitt and Voigt—16.

NAYS—Senators Braswell, Blount, Cooley, Knox, McDade, Parker, Randolph, Record, Shannon, Shelley and Yarbrow—11.

Bill as amended, read second time and ordered to be engrossed; rule suspended, read third time passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Burney, Cook, Cooley Dalrymple, Foscue, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Shelley, Truitt, Voigt and Yarbrow—28.

NAYS—None.

Upon motion of Senator Guinn, House bill to provide for the support, maintenance and education of indigent children of deceased Confederate soldiers, with substitute recommended by the Committee on Finance, was taken up, and the substitute adopted.

Upon motion of Senator Bumpass, further consideration of bill postponed until 11 o'clock, Friday, October 12th.

Senator Parker made the following report:

COMMITTEE ROOM, }
October 8, 1866. }

Hon. Geo. W. Jones, President of the Senate:

The Committee on Enrolled Bills, have examined the following bills, to wit:

An act to incorporate the King's Fork Bridge Company, on the road leading from Waxahatchie, in Ellis county, and from Corsicana, in Navarro county, to Kaufman, in Kaufman county at the junction of said road, about six miles below the town of Kaufman, near J. O. Gillespie's residence.

An act to incorporate the Galveston City Railroad Company.

An act to incorporate the Small Craft Transportation Company.

An act for the relief of Thomas McGehee.

An act authorizing the Judge of the 8th Judicial District to hold a special term of the District Court in Davis county.

An act supplementary to an act apportioning the State into Congressional Districts and providing for the election of members to the Congress of the United States.

An act to incorporate the Lake, Lock and Dam Company.

An act to incorporate the Henderson, Marshall and Jefferson Railroad Company.

An act to authorize A. H. Cromwell, to build a mill dam across the San Antonio river, in Victoria county, find them correctly enrolled and properly signed and have presented the same to the Governor for his approval.

F. J. PARKER, Chairman Committee.

Upon motion of Senator Foscue, House bill to incorporate the Sabine and Galveston Canal Company, on its 2nd reading, with amendments recommended by the Committee on Internal Improvements, taken up and amendments made.

Upon motion of Senator Guinn, the following was added to the 16th section :

"Provided the land granted to the Company shall be subject to the laws governing the surveying and locating Railroad certificates."

Upon motion of Senator Neyland the 10th section was amended as follows :

"Provided, That no tolls shall be charged on either of said rivers during high water, or at any time when the water is sufficiently high for boats to pass over the locks or dams that may be constructed; and that no tolls shall be collected at any time, on either of said rivers, below the first lock and dam from Sabine lake.

Upon motion of Senator Foscue, the caption was amended by adding after the word "Canal" the words "and slack water navigation."

Upon motion of Senator Foscue, 1st section was amended as follows :

After the word "Canal" in 3rd line, add the words, "and slack water navigation." Add to the end of the section: *Provided*, That the point where said company commence their improvements on said rivers, shall be at the head of the permanent navigation on said rivers, which point shall be ascertained and determined by the State Engineer, or such other person as may be appointed by the Governor for that purpose. The expense of the same, if any, to be defrayed by said company; and provided further that the right of said company to improve the navigation of the Neches river, shall not extend beyond its junction with the Angelina river.

Senator Guinn moved to strike out the words "Chief Justice" wherever they occur and insert "County Judge."

Amendment made.

Senator Guinn, also moved to strike out the words "be it further enacted," wherever they occur after the enacting clause.

Amendment made.

Upon motion of Senator Foscue, section 8th was amended by adding the following to the end of the section: "Provided, that the Legislature hereafter may from time to time prescribe the rates of toll to be collected by said company."

Senator Foscue moved to strike out sections 10 and 11.

Amendment made.

Senator Cook moved to amend as follows :

"Provided, That the land donated to said company, be only for such portions of the Canal as traverses the prairie between the Bayou entering East Bay and Taylor's Bayou, which leads into Sabine Lake, and that the distance on Taylor's Bayou, and the distance on the Bayou leading into East Bay, and from thence to Galveston, be not computed in the estimate for land."

Senator Shelley offered the following as a substitute for the amendment proposed by Senator Cook :

And further provided, That so much of East Bayou and Taylor's Bayou as may form part of said canal, shall not be computed in the length thereof in the grant of land herein.

Which was adopted for the amendment, and also adopted as an amendment to the bill.

Senator Burney moved to strike out the words 'eight sections of land per mile.'

Upon which the yeas and nays being called, was lost by the following vote :

YEAS—Senators Braswell, Blount, Boyd, Bumpass and Burney—5.

NAYS—Senators Coppedge, Foscue, Guinn, Jowers, Knox, Littleton, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Shelley, Truitt, Voigt and Yarbrow—18.

Bill as amended read second time, and passed to a third reading.

Upon motion of Senator Foscue, rule suspended, read third time by caption, and passed by the following two-thirds vote :

YEAS—Senators Braswell, Boyd, Brown, Coppedge, Foscue, Guinn, Jowers, Knox, Littleton, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Shelley, Truitt, Voigt and Yarbrow—21.

NAYS—Senators Blount, Bumpass, Burney and Cooley—4.

Upon motion of Senator Knox, Senate bill to incorporate the San Antonio Oil, Coal, Mining and Manufacturing Company, on its second reading, was taken up, read second time, and ordered to be engrossed.

Upon motion of Senator Guinn, rule was suspended, bill read third time by caption, and passed by the following two-thirds vote :

YEAS—Senators Braswell, Blount, Boyd, Brown, Burney, Coppedge, Foscue, Guinn, Jowers, Knox, Littleton, Neyland, Parker, Randolph, Record, Reid, Saufley, Selman, Shannon, Shelley, Truitt, Voigt and Yarbrow—23.

NAYS—None.

Upon motion of Senator Guinn, the following bills were taken up :

Senate bill to incorporate the town of Lampasas, in Lampasas county, with amendment by the House.

Amendment concurred in.

Senate bill to incorporate the San Antonio Commercial Club, with amendments by the House.

Amendments concurred in.

Senate bill for the relief of the heirs of William Berryman, with amendments by the House.

Amendments concurred in.

Joint resolution authorizing the Governor to appoint a special agent to proceed to Washington, D. C.

Read first time, and referred to committee on Indian Affairs.

House bill appropriating four hundred dollars for repairing Treasury building.

Read first time, and referred to Committee on Public Buildings.

House bill for the relief of Lucien Hopson.

Read first time, and referred to committee on Private Land Claims.

House bill to amend 13th section of "An act concerning proceedings in the District Court, approved March 16th, 1848."

Read first time, and referred to Committee on Judiciary.

Upon motion of Senator Parker, the Senate adjourned until 10 A. M., to-morrow.

SENATE CHAMBER, }
Oct. 9, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Foscue presented protest of Levi Jones against the passage of a bill for the relief of W. M. Cook.

Referred to Judiciary Committee.

Senator Cook presented petition of Robert Robson.

Referred to Judiciary Committee.

Senator Truitt, Chairman of Committee on Private Land Claims, reports, and recommends the passage of a bill, entitled "An act for the relief of the heirs of Peyton S. Wyatt."

Senator Yarbrow made the following report:

Hon. G. W. Jones, President of the Senate:

The committee on Commerce and Manufactures, to whom was referred a bill to be entitled "An act to provide for the manufacture of iron by the State," having had the same under consideration, a majority of the committee have instructed me to report the bill back to the Senate and recommend its passage.

J. C. YARBROW, Chairman.

Believing it to be my duty to make the above report, I beg leave to remark, that to engage in such enterprises, on the part of the State, is, to say the least of it, questionable policy.

J. C. YARBROW.

Also reports and recommends the adoption and passage of an accompanying substitute, in lieu of an original bill, entitled "An act supplementary to and amendatory of an act entitled an act to incorporate the Texas Copper Manufacturing Company,"

Senator Braswell, Chairman of Committee on Internal Im-